United Nations A/71/205

General Assembly

Distr.: General
25 July 2016

Original: English

Seventy-first session
Item 65 (a) of the provisional agenda*
Promotion and protection of the rights of children

Report of the Special Representative of the Secretary-General for Children and Armed Conflict

Summary

The present report is submitted to the General Assembly pursuant to its resolution 70/137 on the rights of the child, in which it requested the Special Representative of the Secretary-General for Children and Armed Conflict to continue to submit reports to the General Assembly on the activities undertaken in the fulfilment of her mandate, including information on her field visits and on the progress achieved and the challenges remaining on the violence against children agenda. The report covers the period from August 2015 to July 2016 and describes current trends; it also reflects on the 20 years since the Assembly, by its resolution 51/77, created the children and armed conflict mandate. In addition, the report provides information on the field visits of the Special Representative, on her engagement with regional organizations and international partners, and on dialogue with parties to conflict, which includes an update on the "Children, not soldiers" campaign. It outlines a number of challenges and priorities on her agenda and concludes with a set of recommendations to enhance the protection of children affected by conflict.

* A/71/150.

16-12896 (E) 170816

Please recycle

I. Introduction

1. In its resolution 70/137, the General Assembly requested the Special Representative of the Secretary-General for Children and Armed Conflict to continue to submit reports to it and the Human Rights Council on the activities undertaken in the fulfilment of her mandate, including information on her field visits and on the progress achieved and the challenges remaining on the children and armed conflict agenda. The request stemmed from the mandate given by the Assembly in its resolution 51/77, in which it recommended, inter alia, that the Special Representative raise awareness and promote the collection of information about the plight of children affected by armed conflict and foster international cooperation to ensure respect for children's rights in these situations. In line with that mandate, and as requested by the Assembly in its resolution 70/137, the present report provides an update on the "Children, not soldiers" campaign. It also highlights progress made over the past year and outlines the immediate priorities, as well as a longer-term vision, to advance the children and armed conflict agenda in collaboration with States Members of the United Nations, United Nations entities, regional and subregional organizations and civil society.

II. Taking stock of the children and armed conflict agenda

A. Overview of trends and challenges

2. The Special Representative will submit the present report to the General Assembly 20 years after the adoption of resolution 51/77, by which it created the children and armed conflict mandate. The twentieth anniversary of the mandate provides an opportunity to take stock of the many achievements and to highlight areas where progress is still required. In the ground-breaking report by Graça Machel on the impact of conflict on children (A/51/306), which was presented to the Assembly in 1996, she described the extreme brutality to which millions of children caught up in conflicts were exposed and demonstrated the centrality of the issue to the international human rights, development and peace and security agendas.

3. While there has been substantial progress in the last two decades, as outlined in this report, serious challenges for the protection of children affected by armed conflict continued in the second half of 2015 and in early 2016. The intensity of grave violations increased in a number of situations of armed conflict. The proliferation of actors involved in armed conflicts was a particular concern. Cross-border aerial operations conducted by international coalitions or individual Member States, especially in populated areas, resulted in highly complex environments for the protection of children. The impact on children of the collective failure to prevent and end conflict is severe, with regions in turmoil and violations against children intensifying in a number of conflicts. The violations are directly related to the denigration of respect for international humanitarian and human rights law by parties to conflict.

4. Protracted conflicts have had a substantial impact on children. In the Syrian Arab Republic, according to the Special Envoy for Syria, the conflict has caused the deaths of more than 400,000 people, including thousands of children. In

Afghanistan in 2015, the highest number of child casualties was recorded since the United Nations began systematically documenting civilian casualties in 2009. In Somalia, the situation continued to be perilous for children: the number of recorded violations showed no signs of abating in 2016, with many hundreds abducted, recruited, used, brutally killed and maimed. In a most troubling example, in South Sudan, children were victims of all six grave violations, in particular during brutal military offensives against opposition forces. The deterioration of the situation in July 2016 is of particular concern for the plight of children. In Iraq, intensive armed clashes and attacks targeting civilians by Islamic State in Iraq and the Levant have led to the death of thousands of civilians, including many children. In Yemen, the escalation of conflict has continued, with alarming levels of child recruitment, killing and maiming of children and attacks on schools and hospitals.

B. Emerging issues and challenges

Attacks on health care and protected personnel

5. The General Assembly has recognized that attacks upon medical and health personnel result in the loss of life and human suffering, weaken the ability of health systems to deliver essential life-saving services and produce setbacks for health development. Numerous attacks on medical facilities, including aerial bombardment, have heightened concerns about the protection of health care in conflict in recent months. However, hospitals, doctors, nurses, ambulances and patients have long suffered from acts that challenge the most basic principles of international humanitarian law.

6. Almost half of all medical facilities in the Syrian Arab Republic are closed or only partially functioning. In Aleppo, there have been a number of air strikes on hospitals in the last six months, and children living there are confronted with the almost impossible task of obtaining basic health care in order to survive. In May, a Syrian doctor wrote in response to one attack that what was most heart-breaking was the need for doctors to choose which patients to save because there were not enough doctors to treat everyone; their hospitals, though they were the targets of bombs, still overflowed with the sick and injured.[1] In Afghanistan, the attack on the Médecins sans frontières hospital in Kunduz in October 2015 caused deaths and injuries of 49 medical staff. The hospital was the only fully functioning trauma care facility for the north-eastern region of Afghanistan and had provided lifesaving procedures to 5,000 people in the period running up to the attack. In Yemen, to give one example, in Taiz, three health facilities were repeatedly hit in 23 separate incidents throughout 2015.

7. Parties to conflict must consider the long-term impact of attacks on health care. When a community is recovering from conflict it can take decades to reinstall skilled doctors, nurses, and the physical infrastructure to provide health care. Even a short period of hostilities can have a lasting impact, in particular because efforts to repair damage from attacks are sorely lacking.

8. Governments bear the primary responsibility for protecting civilians, and all parties to conflict must refrain from attacking civilian objects. Governments should adopt clear legislation and issue orders to their security forces to protect hospitals,

[1] Osama Abo El Ezz, "In Aleppo, we are running out of coffins", *The New York Times* (4 May 2016).

doctors and patients. It is equally important that parties to conflict emphasize that hospitals are neutral civilian spaces and that medical personnel should be free to treat all wounded persons in line with medical ethics and without fear of repercussions.

9. Training must be at the core of prevention efforts. Parties to conflict should develop specific child protection training modules, including outlining the responsibilities under international humanitarian law regarding hospitals, medical personnel and patients, and conduct training sessions and closely monitor awareness of laws and procedures. Precautionary measures for military operations must also be put in place, and the human cost of military actions should always be considered. Even in circumstances in which acts do not amount to international crimes, the civilian costs are nearly always too high; parties to conflict should refrain from engaging in combat and using explosive weapons with a wide impact in populated areas. To make these assessments, mechanisms can be put in place such as establishing a review board composed of military and civilian experts to act as an internal oversight mechanism on the conduct of operations.

10. All incidents must be investigated promptly and effectively, as ending impunity for attacks on health care is the best way to prevent their recurrence. Member States should investigate incidents, in a timely and transparent manner, and punish those responsible. Putting remedial measures in place is also a necessary element of accountability. When attacks have taken place, Governments should ensure that they mitigate the impact by repairing damage, clearing military hazards, providing emergency medical care and establishing safe routes and alternative medical facilities.

11. The international community has an important role to play in promoting accountability, protection and prevention. In resolution 69/132 on global health and foreign policy, the General Assembly urged Member States to protect, promote and respect the right to the enjoyment of the highest attainable standard of health, in accordance with obligations under relevant provisions of international human rights law. Similarly, the Security Council, in resolution 2286 (2016), demanded that all parties to armed conflict comply fully with their obligations under international law. The provisions set out in resolution 2286 (2016) complement those contained in Assembly resolutions relating to the children and armed conflict mandate to monitor and report on attacks on hospitals and schools.

12. The protection of health care is also a key element of Goal 3 of the Sustainable Development Goals (General Assembly resolution 70/1). Initiatives to implement the Goals must include specific provisions for children affected by armed conflict. In that regard, the Special Representative welcomes the launch of the Charter on Inclusion of Persons with Disabilities in Humanitarian Action at the World Humanitarian Summit. The initiative will help to ensure that the many children who are permanently disabled during conflict, sometimes purely as a result of the lack of basic medical services to treat minor conditions, are not forgotten.

13. The protection of health care from attack is vital and the primary responsibility for upholding international humanitarian law lies with parties to conflict. The United Nations can support such efforts, but cannot make up for the lack of political will to comply with basic legal obligations. Clear and concrete actions are required; the Security Council, in its resolution 1998 (2011), called upon the parties listed in the annexes to the report of the Secretary-General on children and armed conflict that commit recurrent attacks on schools and/or hospitals and recurrent attacks or

threats of attacks against protected persons in relation to schools and/or hospitals, in situations of armed conflict, to prepare concrete time-bound action plans to halt those violations and abuses. The Special Representative urges listed parties to heed the Council's request and enter into dialogue with the United Nations regarding an action plan. Other parties to conflict should also take the necessary measures to protect schools and hospitals.

Displacement of children as a result of armed conflict

14. Armed conflict has resulted not only in human casualties and physical destruction, but also in forced displacement. Over the course of the past year, an ever-growing number of people have fled armed conflict and sought refuge. The most recent estimates by the Office of the United Nations High Commissioner for Refugees indicate that an unprecedented 65.3 million people around the world have been forced from their homes. Among them are nearly 21.3 million refugees, over half of whom are under the age of 18. In addition, unaccompanied or separated children submitted 98,400 asylum requests in 2015, most of whom were from conflict-affected countries, which is the largest number ever recorded. Displacement has a critical impact on children, since parties to conflict take advantage of the vulnerability and concentration of displaced populations to recruit children in camps and commit other violations, such as abduction, sexual violence, forced marriage and human trafficking.

15. The international community and countries of origin, transit and destination should take all feasible measures to protect the rights of refugee and internally displaced children affected by armed conflict. The need for more equitable sharing of responsibilities is also clearly evident, as 90 per cent of all refugees are hosted in developing countries in close proximity to conflict areas. In September 2016, the General Assembly will host a high-level meeting to address large movements of refugees and migrants, with the aim of bringing countries together behind a more humane and coordinated approach. In line with other United Nations partners, the Special Representative emphasizes that the fundamental principles of the best interests of the child and non-discrimination should be given primary consideration at the meeting and in the development of all relevant policies on internally displaced and refugee children. In particular, the institution of asylum needs more than ever to be respected, preserved and reinforced, particularly in relation to children.

16. One focus of the high-level meeting should be to highlight the responsibility of all States to ensure appropriate protection for all displaced children, to avoid aggravating their vulnerability, through equal access to health care, education and psychosocial support. The Special Representative communicated those messages to Member States at an informal meeting of the General Assembly, held in November 2015, to consider ways to advance a comprehensive response to the global humanitarian and refugee crisis. In December 2015, she attended the annual Dialogue on Protection Challenges organized by the Office of the United Nations High Commissioner for Refugees in Geneva, and advocated for children displaced by armed conflict.

17. In regard to education, as the Secretary-General noted in his report on addressing large movements of refugees and migrants (A/70/59), with millions of children currently out of school the promise made by the General Assembly one year ago to leave no one behind in implementing the Sustainable Development

Goals risks becoming a meaningless cliché. The Special Representative echoes the Secretary-General's message that primary education should be compulsory and available to all refugee children, and that educational opportunities should be expanded. In that regard, a key achievement of the World Humanitarian Summit was the launch of the Education Cannot Wait Fund. On 23 May 2016, the Special Representative attended an event by the Global Business Coalition for Education during which the private sector announced its intention to mobilize $100 million for the Fund in financial and in-kind contributions. The Special Representative encourages Member States and other partners to further support initiatives aimed at helping displaced children to rebuild their lives.

18. While protecting displaced children and providing for health care and education are important steps, it is clear that strong leadership is needed by Member States to end conflict and create conditions conducive to sustainable return. Increased efforts should be made to identify long-term solutions that will mitigate the root causes and structural factors of displacement, provide support to displaced children and ensure family reunification, keeping in mind the best interests of the child. Only when children are reunited with their families, in a safe environment and with access to basic services, will they be able to flourish and fully contribute to the future of their society.

Protection challenges posed by violent extremism

19. During the reporting period, children continued to be severely affected by violent extremism and were often the direct targets of acts intended to cause maximum civilian casualties and terrorize communities. The recruitment and use of children was a prevalent concern, with armed groups controlling large swaths of territory, leaving many civilians without Government protection and resulting in children being abducted and forcibly recruited. The conduct of Government forces and their allies when retaking territory can also be a significant factor in the recruitment and use of children, since abuses and human rights violations can create or add to real or perceived grievances in the affected population as well as forcing civilians, including children, to seek protection from other parties to conflict. Social media also continues to be used for purposes of propaganda and to encourage recruitment of children, particularly outside areas affected by conflict.

20. In addition to recruitment, security responses by Member States, in particular during military operations, have also directly and indirectly affected children. The increased proliferation of airstrikes is of particular concern for the protection of children owing to the high number of civilian casualties. When responding to extreme violence, Member States should ensure that their rules of engagement take into account that a large number of children are associated with those groups and may have been placed on the front line, either in combat or as human shields. The Special Representative continues to emphasize that efforts to counter violent extremism must be carried out in full compliance with international humanitarian, human rights and refugee law. Failure to abide by these obligations only worsens the suffering of the civilian population.

21. As noted in the Special Representative's previous report to the General Assembly (A/70/162), children encountered in security operations are often treated systematically as security threats rather than victims. Increasingly, large numbers of children are being systematically arrested and detained in counter-terrorism

operations for their alleged association with parties to conflict. Detention has also been employed as a tactic to recruit and use children as spies and for intelligence-gathering purposes, which puts them at serious risk. The detention of children should always be a last resort, for the shortest time possible and guided by the best interests of the child. If they are accused of a crime during their association with armed groups, children should be processed by the juvenile justice system rather than military courts, which frequently fail to apply the relevant juvenile justice standards and due process. Of greatest concern are reports that children allegedly associated with non-State armed groups have been sentenced to death, notwithstanding the stipulation under the Convention on the Rights of the Child that capital punishment or life imprisonment without the possibility of release may not be imposed on juvenile offenders.

22. All too often counter-terrorism strategies are implemented without regard for the long-term effects the policies may have. Prolonged detention is not only detrimental to the development of the child, who misses out on crucial years of education, but also for society as a whole. The effective reintegration of children who are allegedly associated with non-State armed groups must be the primary response since it is essential for their well-being and to ensure long-term peace and security. These children should be primarily treated as victims, as the majority have suffered ill treatment and violations. The Special Representative calls upon Member States to develop operating procedures to expeditiously hand over children who are captured or who surrender in the course of military operations to child protection actors to reintegrate them into their communities. Upon return, such children are often stigmatized, and sufficient resources should be allocated for their reintegration. Resources and assistance should also be given to the receiving communities to support reintegration efforts.

23. Throughout the reporting period, the Special Representative continued to remind Member States of their obligations under international law, in particular during addresses to the General Assembly and the Security Council. In October 2015, she participated in the sixth high-level retreat on the promotion of peace, security and stability in Africa, convened by the African Union, on the theme "Terrorism, mediation and non-State armed groups". On the margins of the International Forum on Peace and Security in Africa, held in Dakar in November 2015, the Special Representative met with the newly appointed National Security Adviser of Nigeria, who expressed interest in working to improve the protection of children separated from Boko Haram. During the same event, she met with the Force Commander of the Multinational Joint Task Force and advocated for enhanced protection of children in Task Force operations against Boko Haram.

24. During the reporting period, the Office of the Special Representative also joined the Working Group on Promoting and Protecting Human Rights and the Rule of Law while Countering Terrorism of the Counter-Terrorism Implementation Task Force, with the aim of further mainstreaming the protection of children. The Special Representative will continue contributing to the dialogue and work of the General Assembly, Security Council and Human Rights Council and of the Secretary-General regarding violent extremism in the coming year to ensure that the protection of children is a priority in national, regional and international responses. In that regard, the Special Representative urges the Assembly to prioritize the protection of children and to take into account the above-mentioned elements in the upcoming review of the United Nations Global Counter-Terrorism Strategy.

III. Dialogue, commitments and action plans with parties to conflict

A. Reflections on 20 years of the children and armed conflict mandate

25. The 1996 report to the General Assembly by Graça Machel on the impact of conflict on children and resolution 51/57 were catalysts for action to improve the protection of children affected by conflict. In accordance with the recommendations of the report and the resolution, the Secretary-General named a Special Representative to strengthen child protection mechanisms, foster international cooperation and give children affected by war a voice. The three Special Representatives who have been appointed have sought ways to translate international standards into commitments that can make a tangible difference in the fate of children.

26. The Security Council, in its resolution 1261 (1999), added its support to the efforts of the General Assembly, recognizing children and armed conflict as a peace and security issue and identifying and condemning grave violations against children. During the last 17 years, the Council has created practical instruments designed to work in complementarity with the mandate of the Assembly to address such violations. In its resolution 1379 (2001), the Council requested the Secretary-General to attach to his report on the protection of children in armed conflict a list of parties that recruited or used children. By its resolution 1612 (2005) the Council established a monitoring and reporting mechanism on children and armed conflict, and underlined the fact that the mechanism was to collect and provide timely, objective, accurate and reliable information on the recruitment and use of child soldiers in violation of applicable international law and on other violations and abuses committed against children affected by armed conflict. In recent years, in the light of progress made in addressing recruitment and use of children, four more grave violations against children have been identified as triggers for listing in the annual report of the Secretary-General. The United Nations was also asked to engage in dialogue with listed parties to develop action plans to end and prevent grave violations. To date, 25 action plans have been signed with parties to conflict, and nine parties have completed their action plans and have been delisted from the annexes of the annual report of the Secretary-General.

27. Since 2000, more than 115,000 children associated with parties to conflict have been released as a result of coordinated dialogue and awareness-raising by the United Nations. Most importantly, the advocacy generated by the mandate has brought about a global consensus among Member States that children should not be recruited and used in conflict. That achievement has been consolidated by the "Children, not soldiers" campaign. The majority of non-State armed groups listed are active in the countries where government forces are concerned by the campaign. The campaign's momentum has led to the development of stronger frameworks for the protection of children in the majority of those countries. Engagement has contributed to over 8,000 children being separated from non-State armed groups in 2015 alone.

28. This progress in addressing recruitment and use over the last 20 years, which would not have been achieved without the strong support of the General Assembly

and the instruments put in place by the Security Council, has been built upon and utilized in work to reduce other grave violations. Rape and other forms of sexual violence against children is a central concern in the majority of situations of armed conflict. There is a developing consensus among Member States that sexual violence against children must be stopped, and progress has been made in recent years in the area of accountability, particularly in Colombia and the Democratic Republic of the Congo. Progress has also been made in highlighting the impact of attacks on schools and hospitals, although attacks still continue at alarming levels. A prominent recent development in protecting schools and hospitals are the collective advocacy efforts, on the basis of such Assembly initiatives as the right to education in emergency situations (see resolution 64/290), to convince parties to conflict that using schools in conflict is unacceptable. The development of the Safe Schools Declaration, which had been endorsed by 54 Member States at the time of writing in July 2016, is an important development in this regard.

B. Update on the "Children, not soldiers" campaign

29. During the reporting period, the "Children, not soldiers" campaign continued to demonstrate that a listing in the annexes of the report of the Secretary-General on children and armed conflict is a call for action that will lead to concrete improvements for the protection of children. In a notable advance, in March 2016, the emerging global consensus that children do not belong in security forces in conflict was consolidated by the signature of an action plan with the Government of the Sudan to end and prevent the recruitment and use of children by its security forces.

30. The political support generated by the campaign from Member States, regional organizations and civil society remained strong during the period, and commitment by Governments led to a significant reduction in verified cases of recruitment and use of children by national security forces, especially in Afghanistan, the Democratic Republic of the Congo, Myanmar and the Sudan.

31. The Government of Afghanistan endorsed age assessment guidelines for use in recruitment processes and expanded child protection units in national police recruitment centres. In accordance with the Myanmar joint action plan, in 2015, 146 former child soldiers were released and reintegrated from Government forces into their communities. In September 2015, Myanmar signed the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict.[2] The Democratic Republic of the Congo made substantial progress, and in September 2015, the Minister of Defence endorsed a road map outlining pending activities for the full implementation of the action plan.

32. Despite the positive developments, gaps remain in all countries concerned by the campaign, including, as outlined in the report of the Secretary-General on children and armed conflict (see A/70/836-S/2016/360 and Add.1), gaps in the systematic prevention of and accountability for the recruitment and use of children.

33. Progress in Somalia remains limited, and South Sudan and Yemen have suffered serious setbacks. Those situations illustrate how relapse into conflict and

[2] United Nations, *Treaty Series*, vol. 2173, No. 27531.

ongoing instability can lead to dramatic increases in grave violations committed against children. Efforts must continue in such situations to prioritize conflict prevention and resolution.

34. During the campaign's final year, in addition to enhanced efforts by the United Nations, additional support from the international community is needed to bring about the lasting change envisioned by the campaign.

C. Addressing grave violations by non-State armed groups

35. The Special Representative continued participating in direct dialogue and providing high-level support to United Nation engagement with non-State armed groups. The interactions took place in the context or as a result of peace processes in the Central African Republic, Colombia, Mali, Myanmar, the Philippines, South Sudan and the Sudan.

Current engagement

36. During the reporting period, engagement by the United Nations with non-State armed groups resulted in concrete commitments including the signature of one action plan. The support from national authorities remains important for fruitful engagement with non-State armed groups.

37. Dialogue in the Central African Republic has facilitated the separation of over 2,800 children from anti-balaka and Révolution et justice as well as discussions to develop written commitments on ending grave violations against children with a number of ex-Séléka factions. In Mali, the Mouvement national de libération de l'Azawad and its coordinating body — the Coordination des mouvements de l'Azawad — began discussions regarding an action plan aimed at ending and preventing the recruitment and use of children and other grave violations, although the document had not been finalized at the time of writing in July 2016.

38. In Myanmar, discussions with the Karenni National Progressive Party/Karenni Army advanced, and the group signalled its readiness to sign an action plan to end and prevent the recruitment and use of children. The Executive Committee of the Kachin Independence Organisation/Kachin Independence Army invited the United Nations Children's Fund (UNICEF) to participate in a workshop on ending child recruitment, which led to the identification of gaps in internal procedures regarding child recruitment and a commitment to revise their code of conduct. Finally, the Karen National Union/Karen National Liberation Army signalled its readiness to enter into discussions with the United Nations on the issue of child recruitment. The Government should facilitate the development of action plans with those groups to make progress on protecting children and ending their recruitment.

39. In the Philippines, the Moro Islamic Liberation Front/Bangsamoro Islamic Armed Forces worked on implementing their action plan and achieved significant progress. In an encouraging development, the United Nations was also able to re-engage with the National Democratic Front of the Philippines/New People's Army on their declaration and programme of action for the rights, protection and welfare of children.

40. In South Sudan, in January 2016, the Sudan People's Liberation Movement/Army-In Opposition signed an action plan to end and prevent the recruitment and

use of children under the age of 18 and to ensure their release to child protection actors. The action plan also covers sexual violence against children. At the time of writing in July 2016, no effective action had been taken by the group to implement the action plan.

41. In the Sudan, the Special Representative met with the Secretary-General of the Sudan People's Liberation Movement-North in Addis Ababa in May 2016 to discuss access to territories under their control for monitoring and humanitarian purposes, as well as the possibility of signing an action plan to end and prevent recruitment and use of children. In collaboration with UNICEF, discussions continued following the meeting. Lastly, interaction between the African Union-United Nations Hybrid Operation in Darfur (UNAMID) and the Justice and Equality Movement led to the signing of a command order prohibiting the recruitment and use of children in September 2015.

Peace process in Colombia

42. In May 2015, the Special Representative was requested to play an active role in the peace talks between the Government of Colombia and the Fuerzas Armadas Revolucionarias de Colombia — Ejército del Pueblo (FARC-EP), when the parties invited her as the first high-level United Nations representative to visit Havana.

43. Within the framework of the peace talks, which started in 2012, historic steps were taken, such as the signing of a milestone agreement on the peace agenda item related to victims in December 2015. That partial agreement foresaw the creation of a comprehensive system of truth, justice, reparation and non-repetition for victims. In June 2016, the parties signed a ceasefire agreement, inviting the United Nations to take part in a tripartite mechanism to monitor and verify the commitment.

44. With regard to the recruitment and use of children, following the February 2016 announcement by FARC-EP that they would stop recruiting children under the age of 18, an agreement was reached between the Government of Colombia and FARC-EP on 15 May 2016. The agreement includes the development of a protocol for the immediate separation of children under 15, a road map and a comprehensive programme for the reintegration of all children under 18, with the United Nations acting in support of the process as an observer and guarantor.

45. Following discussions between the Special Representative and the parties on the issue of the end of recruitment and the separation of children associated with FARC-EP, and with the support of the guarantors, Norway and Cuba, UNICEF and the Resident Coordinator, FARC-EP focused on the benefits of adherence to child protection norms ratified by Colombia and the consequences of violations. The agreement on children includes core principles put forward by the United Nations during the discussions with the parties, including treating separated children primarily as victims and prioritizing the best interests of the child in the reintegration process.

46. The Colombian peace process demonstrates that perseverance and a committed search for compromise by parties can lead to tangible results and bring peace. A thorough assessment of the inherent challenges has been essential to obtaining commitments and reaching agreement on protecting children. In other peace attempts, spoilers and paramilitary violence caused the failure of the processes on multiple occasions. The effective implementation of guarantees of non-repetition and safety and security will be critical to overcome such spoilers. The parties'

holistic approach to the release and reintegration of children is also an important development. The agreement's successful implementation will be an important signal to parties in other protracted conflicts that dialogue can lead to concrete results for the protection of children.

IV. Raising global awareness and mainstreaming

A. Field visits

47. Field visits remain a central aspect of the Special Representative's activities and were undertaken to Cuba (November 2015 and May 2016), Afghanistan (February 2016), the Sudan (March 2016) and Somalia (July 2016).

Cuba, for the Colombia peace process

48. As noted in paragraph 42, the Special Representative was invited to visit Havana in November 2015 to follow up on commitments made during her first visit in May 2015. Through engagement with the negotiating parties and facilitators, the Special Representative advocated for the prioritization of the release and reintegration of all under-aged children associated with the Fuerzas Armadas Revolucionarias de Colombia — Ejército del Pueblo, and for the need to put in place guarantees of non-repetition to prevent re-recruitment by other armed actors.

49. In May 2016, the Special Representative was invited to witness the signing of the agreement on the separation of children under 15 years old from the camps of FARC-EP and commitment to the development of a road map for the separation of all other minors and a comprehensive special care programme (Joint Communique #70 on minors). In her declaration at the announcement ceremony, the Special Representative welcomed the parties' perseverance and commitment to bringing protection and peace to the children of Colombia.

Afghanistan

50. From 13 to 17 February 2016, during a visit to Afghanistan, the Special Representative engaged in high-level dialogue with the Government to support the implementation of the action plan to end and prevent the recruitment and use of children by the Afghan National Security Forces and the road map to compliance agreed in August 2013. She also met with key partners, such as the North Atlantic Treaty Organization (NATO), the diplomatic community and civil society.

51. The Special Representative was encouraged by the political will and commitment of the Government to fully implement the action plan. She had the opportunity to visit a child protection unit at the Afghan National Police recruitment centre in Herat province, which prevented the recruitment of 211 children in 2015. Since her visit, a further child protection unit has been inaugurated, bringing the total to seven nationwide. The Special Representative also had open discussions with the Government about remaining challenges, including ensuring systematic implementation of instruments and mechanisms to prevent child recruitment; strengthening oversight and control of recruitment by the Afghan Local Police; pursuing accountability to prevent future recruitment and use; and providing reintegration programmes and alternatives for children.

52. The Special Representative also raised with the Government the issue of detention of children on national security-related charges, including for association with non-State armed groups. The Special Representative visited a juvenile rehabilitation centre in Herat and met children held in detention on security-related charges. In relation to the protection of schools and hospitals, the Special Representative noted with concern the increasing attacks on those facilities. She welcomed the Government's signature of the Safe Schools Declaration in May 2015, and encouraged the Government to take measures to prevent the military use of schools. She also raised with authorities the practice of *bacha bazi*, the sexual exploitation and abuse of boys by men in positions of power, including in the Afghan National Security Forces, and emphasized the need to criminalize acts of sexual abuse against children.

The Sudan

53. The Special Representative visited the Sudan from 27 to 30 March 2016 to witness the signing of an action plan to end and prevent recruitment and use of children by Government security forces and engage with the Government of the Sudan on the protection of children. The Special Representative witnessed commitment from Government officials and emphasized that it should be demonstrated during the implementation of the action plan. She emphasized that accountability for grave violations should be pursued and underlined that access by the United Nations to conflict-affected areas and populations was critical for the success of the action plan. In addition, the Special Representative was given access to 21 children detained by the National Intelligence Security Services since April and August 2015 for their alleged association with the Justice and Equality Movement. She advocated for continued access by the United Nations to the children and release and reunification with their families. Unfortunately, at the time of writing in July 2016, the children continued to be held in detention far away from their families.

Somalia

54. From 16 to 21 July 2016, during her second visit to Somalia, the Special Representative engaged in a high-level dialogue with the Government to assess the implementation of the action plan to end and prevent the recruitment and use and killing and maiming of children by the Somali National Army. The Special Representative urged the authorities to fully implement their action plan, particularly to ensure that no children entered the Army in the context of the integration of regional militia groups. She also engaged with the African Union Mission in Somalia (AMISOM) to discuss the vital role it should play in protecting children and raising allegations of violations committed against children by their contingents.

55. The detention of children for their association with Al-Shabaab was identified as a concern during the Special Representative's previous visit to Somalia in August 2014. The release and handover to child protection actors of children detained in Serendi and Hiil-Walaal and of children captured in Galmudug were steps in the right direction. Nevertheless, the Special Representative remains concerned about the lack of transparency and oversight in the classification of children held on national security charges and the plight of those children classified as high risk. The lack of a clear legal framework for children detained on security charges and the absence of international juvenile justice standards are also significant concerns.

During the visit, the Special Representative encouraged the diplomatic community to prioritize these issues in their bilateral relations with the Government.

56. In Puntland, the Special Representative met with the children captured in March by regional forces and detained since that date for their alleged association with Al-Shabaab. The Special Representative expressed her alarm that children under 18 continued to be held in detention in Puntland for their association with Al-Shabaab and that 12 of them had even been sentenced to death under the same charges. While the Puntland authorities assured the Special Representative that children under 18 years old would not be executed, federal and regional authorities must swiftly resolve all existing legal ambiguities and clearly domesticate the country's international obligations under the Convention on the Rights of the Child.

B. Working with regional organizations

African Union

57. The strong partnership between the Special Representative and the African Union continued, and she participated in the annual African Union high-level retreat for special envoys and mediators, held in Namibia in October 2015 (see para. 23). The Special Representative also briefed the African Union Peace and Security Council in Addis Ababa in May 2016 at the Council's third open session dedicated to children affected by armed conflict, convened under the chairmanship of Botswana, which focused on the theme of the protection of schools. During the session, the Special Representative received strong support from all members of the Council who backed the "Children, not soldiers" campaign and made commitments to protect schools and hospitals, including refraining from military use. In June 2016, the Office of the Special Representative participated in a workshop aimed at supporting the development of a human rights compliance framework for African Union peace support operations. Lastly, the issue of violations attributed to contingents of AMISOM was discussed on a number of occasions during the reporting period.

European Union

58. The Special Representative continued to strengthen her partnership with the European Union, which is a key interlocutor who engages in human rights dialogue and capacity-building with the majority of countries on the children and armed conflict agenda. In January she addressed the European Parliament Subcommittee on Security and Defence during an interactive session in which views and information were exchanged on the impact of armed conflict on children and the challenges of reintegration and for Common Security and Defence Policy missions related to children and armed conflict.

League of Arab States

59. Pursuant to the cooperation agreement between the League of Arab States (LAS) and the Office of the Special Representative signed in 2014, the Special Representative and the Secretary-General of LAS sent a joint communication in September 2015 to the five LAS members who are not parties to the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict in order to advocate for ratification. The Office also participated in the twelfth United Nations-LAS sectoral meeting on human rights in

October 2015, and the general cooperation meeting between the United Nations and LAS in May 2016.

North Atlantic Treaty Organization

60. The Special Representative engaged with NATO with a view to deepening the partnership on the issue of children and armed conflict. In January 2016 in Brussels, the Special Representative met with the incoming Assistant Secretary General for Operations and the Deputy Secretary General to discuss ways to further strengthen the protection of children in NATO-led operations. She also briefed the Operations Policy Committee and underscored the responsibility and role of NATO in protecting children in armed conflict.

61. During the Special Representative's visit to Afghanistan in February 2016, she met with the Commander of the NATO Resolute Support Mission and the NATO Senior Civilian Representative to voice concerns about rising child casualties and advocate for the appointment of an adviser on children and armed conflict within the Resolute Support Mission in Afghanistan. The position was filled in May 2016.

62. The Office also contributed to the development of NATO policies and guidelines on children and armed conflict. The Office attended the NATO-United Nations staff talks, held in March 2016, during which potential opportunities for training NATO focal points were explored.

C. Building support with civil society organizations

63. Building relationships and cooperating with civil society organizations, including academia, is a key priority and during the reporting period the Special Representative met regularly with non-governmental organizations working on the protection of children. In particular, she worked with non-governmental organizations to support the Safe Schools Declaration, and spoke at events organized by the Global Coalition to Protect Education from Attack in December 2015 in Geneva, in May 2016 in Addis-Ababa and at a Human Rights Watch event in The Hague, also in May. In addition to engagement with New York-based non-governmental organizations, the Special Representative engaged regularly with the Geneva-based non-governmental organization Focus Group on Children Affected by Armed Conflict during the reporting period. Furthermore, she continued to raise awareness of the children and armed conflict agenda with universities, academia and think tanks and interacted in many forums, including the Council on Foreign Relations in February 2016.

D. Building support upon partnerships with United Nations mechanisms

64. The Special Representative continued to foster international cooperation to ensure respect for the rights of children affected by armed conflict. In that regard, she briefed the Security Council Working Group on Children and Armed Conflict on specific country situations to keep Council members abreast of the latest developments pertaining to the mandate. During the 12-month period, country reports of the Secretary-General on children and armed conflict were issued for the Central African Republic and Iraq. On 16 November 2015, the Special Representative briefed the Security Council during the monthly meeting on the

humanitarian situation in the Syrian Arab Republic. The Special Representative also led the preparation of the annual report of the Secretary-General on children and armed conflict, dated 20 April 2016. Pursuant to the adoption of Security Council resolution 2225 (2015), six parties were listed for the abduction of children.

65. At the request of the Security Council, the Special Representative also engaged with sanctions committees to brief them and provide information on grave violations committed against children. In particular, she briefed the sanctions committees concerning the situation in Yemen in September 2015, the Democratic Republic of the Congo in November 2015, the Central African Republic in December 2015, South Sudan in March 2016 and the Sudan in April 2016. In two instances, the briefings were organized by the respective sanctions committees and the Security Council Working Group on Children and Armed Conflict.

66. Regular communication with the Human Rights Council to raise awareness and address violations of the rights of children in situations of conflict continued during the reporting period. At the Human Rights Council in March 2016, the Special Representative presented her annual report to the body. The Office of the Special Representative also contributed to the work of the human rights mechanisms through submissions to the Universal Periodic Review process of the Human Rights Council.

67. The Chair of the Committee on the Rights of the Child and members of the Committee were also key interlocutors to enhance information sharing and to encourage joint advocacy for children affected by armed conflict. The Special Representative advocated with Member States that had not already done so to ratify the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict. She held bilateral meetings with Member States and actively briefed regional organizations, civil society and regional groups on the matter. During the reporting period, the Optional Protocol was ratified by six Member States, bringing the total number of parties to 165. Myanmar also signed the Optional Protocol during the reporting period, but had yet to ratify it at the time of writing in July 2016. In October 2015, Somalia ratified the Convention on the Rights of the Child.

68. In December 2015, the Special Representative was invited to the launch of a Group of Friends of Children and Armed Conflict in Geneva, which is co-chaired by Belgium and Uruguay. Also in Geneva, she continued to work closely with the International Committee of the Red Cross (ICRC) and participated in the thirty-second international conference of the Red Cross and Red Crescent in December 2015, during which she advocated for greater protection of children in situations of detention in the context of armed conflict.

69. Children and armed conflict concerns were also mainstreamed in such Organization-wide initiatives as the Sustainable Development Goals, the World Humanitarian Summit, the Plan of Action to Prevent Violent Extremism (A/70/674), the implementation of the Secretary-General's recommendations following the report of the High-level Independent Panel on Peace Operations and the enhanced United Nations response to sexual exploitation and abuse. At the World Humanitarian Summit, the Special Representative took part in the high-level leaders' roundtable on upholding the norms that safeguard humanity, where she represented the United Nations and made commitments on behalf of the organization to improve the delivery of humanitarian assistance and to intensify the

monitoring, investigation and reporting of human rights violations and abuses. In July 2016, the Queen of the Belgians and the Special Representative co-hosted an event on the sharing of best practices on psychosocial rehabilitation and social reintegration of children during which the critical importance of appropriate and effective reintegration to avoid re-recruitment by other groups was emphasized.

70. The Office of the Special Representative also contributed to the online course on United Nations human rights responsibilities that was launched in November 2015. In January 2016, the Special Representative participated in the interactive dialogue of the General Assembly on the Human Rights Up Front Initiative.

71. Lastly, there was intensive collaboration with UNICEF and other United Nations entities. The deprivation of liberty for children in situations of armed conflict is an area of concern for the Special Representative, related in particular to responses to violent extremism. In that regard, the Office of the Special Representative worked closely with the United Nations Office on Drugs and Crime (UNODC) and participated in three UNODC workshops with Government officials of countries affected by violent extremism, which were held in Dakar and Amman during the reporting period. The Special Representative also continued to contribute to the initial phase of the in-depth global study on children deprived of liberty, in line with General Assembly resolution 69/157, paragraph 52 (c).

V. Recommendations

72. **The Special Representative urges Member States to ensure that their engagement in hostilities and responses to all threats to peace and security, including in efforts to counter violent extremism, are conducted in full compliance with international humanitarian law, human rights law and refugee law. She also calls upon all parties to conflict to refrain from using explosive weapons with wide-area effects in populated areas, and to consider making a commitment to this effect.**

73. **The Special Representative calls upon Member States and parties to conflict to ensure the protection of hospitals, health-care works and transports, in line with international law. She calls upon the General Assembly to continue to give due consideration to the issue and its impact on children in its resolutions on humanitarian and development issues.**

74. **The Special Representative encourages the General Assembly to highlight the rights of children displaced by conflict and the obligations of States of origin, transit and destination in the high-level meeting to address large movements of refugees and migrants and in its resolutions on country-specific situations and thematic issues.**

75. **The Special Representative calls upon Member States to treat children allegedly associated with non-State armed groups as victims entitled to full protection of their human rights, to ensure that they are not used as spies or for the purposes of intelligence gathering, and to urgently put into place alternatives to the systematic detention of children. The Special Representative urges the General Assembly to take these issues into account and ensure the protection of children in the review of the United Nations Global Counter-Terrorism Strategy.**

76. The Special Representative encourages Member States concerned by the "Children, not soldiers" campaign to redouble their efforts to fully implement their action plans in the coming year, and invites regional organizations, the international community and all relevant partners to provide increased support to the concerned Member States.

77. Recalling that the issue of the reintegration of children is crucial to ensure the long-term sustainability of peace and security, the Special Representative encourages the Member States concerned to take appropriate measures to reintegrate those children, giving special attention to the needs of girls. She also calls on all Member States to provide the necessary political, technical and financial support to reintegration programmes.

78. The Special Representative calls upon the General Assembly to ensure that special attention is paid to children affected by armed conflict in the implementation of the Sustainable Development Goals. In particular, it is important that the General Assembly highlight the need to give adequate resources for education in emergencies during times of armed conflict and holistic support to children disabled during conflict.